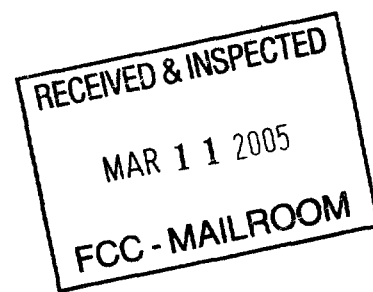


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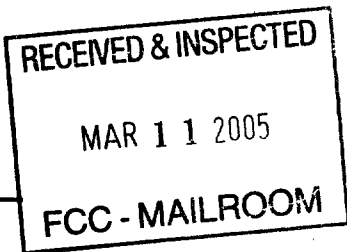


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TO: \_\_\_\_\_

FROM: SUPERINTENDENCIA \_\_\_\_\_



FAX: 7877310000

TEL: 7877316100

COMMENT: URGENT

# APPEAL

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**FACSIMILE TRANSMITTAL SHEET**

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TO:

**OFFICE OF THE  
SECRETARY**

FROM:

Díac. Jorge Rivera

COMPANY:

**FEDERAL  
COMMUNICATUB  
CPMMISION**

DATE:

3/11/2005

**RECEIVED & INSPECTED****MAR 11 2005****FCC - MAILROOM**

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**APPEAL**

YOUR REFERENCE NUMBER:

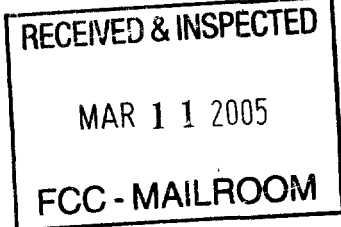
☒ URGENT    ☐ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Enclosed is the appeal for Academia Santa Mónica.

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Before the  
**FEDERAL COMMUNICATION COMMISSION**  
 Washington, D.C. 20554



In the Matter of )  
 )  
 Request for Review by Academia Santa )  
 Mónica )  
 Decision of the Universal Service )  
 Administrator )  
 Schools and Libraries Universal Service )  
 Support Mechanism )  
 )

Form 471 Application No. 424281

CC Docket No. 02-6

TO: Wireline Competition Bureau

**REQUEST FOR REVIEW**

Pursuant to Sections 54.719(c) and 54.721 of the Federal Communications Commission ("Commission" or "FCC") rules, 47 C.F.R. §§ 54.719(c) and 54.721 (2003), Colegio Academia Santa Mónica ("Academia Santa Mónica") hereby appeals the decision of the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company to reduce the requested discount in Funding Year 2004 (07/01/2004 – 06/30/2005) from 50% to 20%.

**I. BACKGROUND**

On February 04, 2004, Academia Santa Mónica filed a FCC Form 471 with the SLD indicating the services for which it was requesting discounts under the schools and libraries universal service support mechanism (the "E-rate program").<sup>1</sup> On Block 4 of its 471 application, Academia Santa Mónica indicated that 56 out of 204 students enrolled during the 2004-2005 academic year qualified for a free or reduced price lunch under the National School Lunch Program ("NSLP") and requested a 50% discount on all of its funding requests.<sup>2</sup> During its

<sup>1</sup> FCC Form 471 No. 424281, Academia Santa Mónica (Exhibit A).

<sup>2</sup> The specific funding requests number is 1172098

review of Academia Santa Mónica's application, the SLD requested documentation supporting the eligible discount rate for the school.<sup>3</sup> Specifically, the information request, which was delivered to Academia Santa Mónica, requested the following information:

1. The total number of enrolled.
2. Total number of surveys/applications sent out
3. Number of survey/application returned
4. Total number of students that qualifies for the National School Lunch Program, using the Income Eligibility Guidelines (IEG) of the NSLP, per returned surveys/applications
5. Are the surveys/applications and results kept on file.
6. Provide a sample copy of the FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
7. A signed certification that reads: "I certify that only those students who meet the Income Eligibility of the National School Lunch Program have been included in Column 5 of item 10b, Block 4 (Worksheet A) of the Form 471."
8. The information must be in writing on the school letterhead and signed by a school official (such as the Principal, Vice – Principal Superintendent, Director of Food Services.

On December 8, 2004 Academia Santa Mónica provided the information requested to the SLD on school letterhead and signed by the school Principal, Rev. Diácono Jorge Rivera.<sup>4</sup> In its response, Academia Santa Mónica indicated that there were 634 students enrolled, that 634 surveys/applications were sent out and that 535 surveys/applications were returned. It also indicates from those 535 survey/applications returned 430 students qualifies for the NSLP, that the surveys/applications and its results are kept on file and certified that only the students who meet the IEG of the NSLP had being included in Column 5 item 10b of block 4 (worksheet A) of

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<sup>3</sup> See letter from Kevin Hefferan, Schools and Libraries Division, Program Integrity Assurance, to Marieglorie Zapata, dated December 3, 2004 (Exhibit B).

<sup>4</sup> See Letter from [Academia Santa Mónica Principal, Rev Diácono Jorge Rivera to Schools and Libraries Division, Program Integrity Assurance, dated December 8, 2004 (Exhibit C).

the Form 471. Academia Santa Mónica also provided a sample copy of the socio-economic survey<sup>5</sup>.

On January 11, 2005, the SLD issued a funding commitment decision letter reducing the discount rate from 50% to 20%.<sup>6</sup> The SLD provided no explanation on the reason for the percentage reduction.

It is our assumption that the SLD established the basis for the decision of awarding a 20% discount versus the 50% originally requested on the conflicting information provided by Academia Santa Mónica in the submitted SLD Form 471 and the response to the PIA request for information. (Attachment 1) **Academia Santa Mónica erred in filing the SLD Form 471 with inaccurate information on Block 4 columns 4 (204) and 5 (56)<sup>7</sup>.** These numbers are not consistent with the numbers included in the applicant response to the request of information. (Exhibit A) **Exhibit C shows the correct numbers of students for Block 4, Column 4 (634) and also gives the required information to determine the correct number for Block 4, Column 5 (509).**

The survey, which had been provided to the SLD during the PIA review process, asked parents to provide the size of the family, the number of students enrolled in the school, and the household income. Out of the 634 surveys distributed, 535 of the students completed the survey. From the 535 completed surveys, 430 (80.73 %) were determined to be eligible for a free or reduced price lunch under the NSLP in accordance with the Income Eligibility Guidelines of the U.S. Department of Agriculture. Following the SLD's guidelines we can get to the conclusion that in Academia Santa Mónica 509 students, or 80.37 % of its student population, qualified for a

<sup>5</sup> See ESTUDIO SOCIOECONOMICO (Exhibit D)

<sup>6</sup> See Letter from Schools and Libraries Division, Universal Service Administrative Company to Academia Santa Mónica, dated January 11, 2005.

<sup>7</sup> Refer to Exhibit A

free or reduced-price lunch under the NSLP. Using the discount matrix set forth in the FCC rules, a school with 80.37 % of its student population eligible for the national school lunch program qualifies for 90% discount under the schools and libraries universal service support mechanism.

**II. ACADEMIA SANTA MÓNICA CORRECTLY DETERMINED THE PERCENTAGE OF STUDENTS ELIGIBLE FOR A FREE OR REDUCED-PRICE LUNCH UNDER THE NSLP.**

Although Academia Santa Mónica erroneously filed an SLD Form 471 with inaccurate information on Block 4, alternately, when requested submitted sufficient evidence to the PIA to demonstrate the percentage of students eligible for a free or reduced – price lunch under the NSLP. (90%)

Under the Commission's rules, the discount available to a particular school is determined by indicators of poverty and high relative cost of service.<sup>8</sup> First, the level of poverty for schools is measured by the percentage of their student enrollment that is eligible for a free or reduced-price lunch under the NSLP or a federally-approved alternative mechanism outlined in Title I of the Improving America's School Act (IASA).<sup>9</sup> These federally-approved alternative mechanisms include data comparable to the NSLP data that is collected through surveys. As the Commission has acknowledged, surveys are particularly relevant to schools that many not have access to NSLP data, such as private schools.<sup>10</sup> Second, a school's high-cost status is derived from rules that classify it as urban or rural.<sup>11</sup> The Commission's rules provide a matrix reflecting

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<sup>8</sup> 47 C.F.R. § 54.505(b).

<sup>9</sup> 47 C.F.R. § 54.505(b)(1); *Federal-State Joint Board on Universal Service*, Report and Order, CC Docket No. 96-45, FCC 97-157, 12 FCC Rod 8776, ¶¶ 508-09 (rel. May 8, 1997).

<sup>10</sup> See *School for Language and Communication Development*, Order, 17 FCC Rod 15166 (rel. Aug. 6, 2002).

<sup>11</sup> 47 C.F.R. §§ 54.505(b)(3)(i), (ii).

both the school's urban or rural status and the percentage of its students who are eligible for the school lunch program to establish its discount rate, ranging from 20 percent to 90 percent.<sup>12</sup>

Because NSLP data is unavailable for Academia Santa Mónica, it used a federally-approved alternative mechanism that relies on actual counts of low-income children to determine the level of poverty.

**III. THE SLD ERRONEOUSLY CONCLUDED THAT ACADEMIA SANTA MONICA QUALIFIED FOR A 20% DISCOUNT AND FAILED IN NOT REQUESTING ADDITIONAL INFORMATION TO THE SCHOOL AND CLARIFY THE CONFLICTING INFORMATION.**

Academia Santa Mónica submitted to the SLD exactly what it was asked to submit: (a) the total number of students (634 students), (b) the number of surveys/applications sent out (634), (c) the number of surveys/applications returned (533) (d) the number of students qualified to participate in the NSLP, 430 (based on the SLD projection guidelines), (e) if the survey/applications were kept on file, yes, (f) and (g) certification that only students that meet the IEG of the NSLP have been included in Column 5, item 10b of block 4 (worksheet A) of the Form 471. In addition, Academia Santa Mónica provided a sample copy of the socio-economic survey conducted by the school. No additional documentation supporting the eligible discount rate for the school was requested.

**IV. CONCLUSION**

Academia Santa Mónica provided clear evidence to the SLD that it qualified for a 90% discount under the E-rate program since 509 out of 634 students (80.37% of the student population) were eligible for a free or reduced price lunch under the NSLP. This data was

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<sup>12</sup> 47 C.F.R. § 54.505(c).

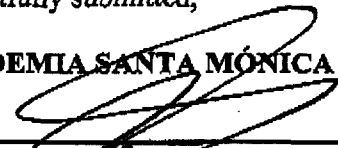


collected through a survey that was conducted in accordance with the SLD's guidelines. Furthermore, the school provided the SLD with all the information that was requested during the application review process. Therefore, the SLD erred in its decision to reduce the discount rate from the requested 50% to 20% and been a 90% discount the percentage the school should have filed. Academia Santa Mónica respectfully requests that the Commission reverse the SLD's decision on reducing the discount percentage and grant its application to be funded at a 50% discount.

Respectfully submitted,

**ACADEMIA SANTA MÓNICA**

/s/

  
Rev. Diácono Jorge Rivera  
Principal, Academia Santa Mónica  
Ave. Fernández Juncos 1058. Pda. 16  
San Juan, Puerto Rico 00708  
Tel: 787-723-2573  
Fax: 723-3992

March 10, 2005

**Schools and Libraries Universal Service Program  
Services Ordered and Certification Form 471  
Application Display**

**Block 1: Billed Entity Information**

**EXHIBIT A**

**Applicant's Form Identifier:** TEL200290

**471 Application Number:** 424281

**Cert. Postmark Date:** 02/04/2004

**Out of Window Letter Date:** Not applicable

**Funding Year:** 07/01/2004 - 06/30/2005

**Form Status:** CERTIFIED - In Window

**Billed Entity Number:** 200290

**RAL Date:** 03/08/2004

**Name:** ACADEMIA SANTA MONICA

**Address:** AVE. FERNANDEZ JUNCOS 1058, PDA.16.5

**City:** SANTURCE **State:** PR **Zip:** 00908

**Contact Name:** Madeline Melgen Ed D

**Address:** Road 177 Building 2021, Camino Alejandrino

**City:** Guaynabo **State:** PR **Zip:** 00926 5140

**Type of Application:** SCHOOL

**Ineligible Orgs:** N

**Block 3: Impact of Services Ordered in THIS Application**

**Number of students to be served:** 529

**Number of library patrons to be served:**

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	12	12
b. High-bandwidth voice/data/video service: How many buildings served before and after your order?	1	4
c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	512	256
d. Dial-up Internet connections: How many before and after your order?	0	2
e. Dial-up Internet connections: Highest speed before and after your order?	0	56
f. Direct connections to the Internet: How many before and after your order?	1	1
g. Direct connections to the Internet: Highest speed before and after your order?	512	256
h. Internet access(for schools): How many rooms have Internet access before and after your order?	10	54
i. Internet Access: How many computers (or other devices) with Internet access before and after your order?	20	45

**Schools and Libraries Universal Service Program  
Services Ordered and Certification Form 471  
Application Display****Block 1: Billed Entity Information**

Applicant's Form Identifier: TEL200290

471 Application Number: 424281

Cert. Postmark Date: 02/04/2004

Out of Window Letter Date: Not  
applicableFunding Year: 07/01/2004 -  
08/30/2005

Form Status: CERTIFIED - In Window

Billed Entity Number:  
200290

RAL Date: 03/08/2004

Name: ACADEMIA SANTA MONICA

Address: AVE. FERNANDEZ JUNCOS 1058, PDA.16.5

City: SANTURCE State: PR Zip: 00908

Contact Name: Madeline Melgen Ed D

Address: Road 177 Building 2021, Camino Alejandrino

City: Guaynabo State: PR Zip: 00926 5140

Type of Application: SCHOOL

Ineligible Orgs: N

**Block 3: Impact of Services Ordered in THIS Application**

Number of students to be served: 529

Number of library patrons to be served:

SERVICE DESCRIPTION	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	12	12
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c. High-bandwidth voice/data/video service: Highest speed to a building before and after your order?	512	256
d. Dial-up Internet connections: How many before and after your order?	0	2
e. Dial-up Internet connections: Highest speed before and after your order?	0	56
f. Direct connections to the Internet: How many before and after your order?	1	1
g. Direct connections to the Internet: Highest speed before and after your order?	512	256
h. Internet access(for schools): How many rooms have Internet access before and after your order?	10	54
i. Internet Access: How many computers (or other devices) with Internet access before and after your order?	20	45

## Block 4: Worksheets

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Worksheet A No: 598649      Student Count: 204  
Weighted Product (Sum. Column 8): 102      Shared Discount: N/A

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1. School Name: ACADEMIA SANTA MONICA  
2. Entity Number: 200290      3. Rural/Urban: Urban  
4. Student Count: 204      5. NSLP Students: 56      6. NSLP Students/Students: 27.450%  
7. Discount: 50%      8. Weighted Product: 102

---

## Block 5: Discount Funding Request(s)

FRN: 1172054      FCDL Date:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 114490000470468
13. SPIN: 143012431	14. Service Provider Name: Puerto Rico Telephone Company, Inc.
15. Contract Number: T	16. Billing Account Number: 787-723-2573
17. Allowable Contract Date: 01/01/2004	18. Contract Award Date:
19a. Service Start Date: 07/01/2004	19b. Service End Date: 06/30/2005
20. Contract Expiration Date:	
21. Attachment #: 1	22. Block 4 Entity Number: 200290
23a. Monthly Charges: \$650.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$650.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$7,800.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$7,800.00	
23j. % discount (from Block 4): 50	
23k. Funding Commitment Request ( 23i x 23j): \$3,900.00	

FRN: 1172098      FCDL Date:	
11. Category of Service: Internet Access	12. 470 Application Number: 114490000470468
13. SPIN: 143022659	14. Service Provider Name: A New Vision in Educational Services and Materials (NEVESEM)
15. Contract Number: MTM	16. Billing Account Number: 200290
17. Allowable Contract Date: 01/01/2004	18. Contract Award Date:
19a. Service Start Date: 07/01/2004	19b. Service End Date: 06/30/2005

Block 4: Worksheets

Worksheet A No: 598549 Student Count: 204  
Weighted Product (Sum. Column 8): 102 Shared Discount: N/A

1. School Name: ACADEMIA SANTA MONICA  
2. Entity Number: 200290 3. Rural/Urban: Urban  
4. Student Count: 204 5. NSLP Students: 56 6. NSLP Students/Students: 27.450%  
7. Discount: 50% 8. Weighted Product: 102

Block 5: Discount Funding Request(s)

FRN: 1172054 FCDL Date:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 114490000470468
13. SPIN: 143012431	14. Service Provider Name: Puerto Rico Telephone Company, Inc.
15. Contract Number: T	16. Billing Account Number: 787-723-2573
17. Allowable Contract Date: 01/01/2004	18. Contract Award Date:
19a. Service Start Date: 07/01/2004	19b. Service End Date: 06/30/2005
20. Contract Expiration Date:	
21. Attachment #: 1	22. Block 4 Entity Number: 200290
23a. Monthly Charges: \$650.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$650.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$7,800.00	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$0.00	
23i. Total program year pre-discount amount ( 23a + 23h): \$7,800.00	
23j. % discount (from Block 4): 50	
23k. Funding Commitment Request ( 23i x 23j): \$3,900.00	

FRN: 1172098 FCDL Date:	
11. Category of Service: Internet Access	12. 470 Application Number: 114490000470468
13. SPIN: 143022659	14. Service Provider Name: A New Vision in Educational Services and Materials (NEVESEM)
15. Contract Number: MTM	16. Billing Account Number: 200290
17. Allowable Contract Date: 01/01/2004	18. Contract Award Date:
19a. Service Start Date: 07/01/2004	19b. Service End Date: 06/30/2005

20. Contract Expiration Date:	
21. Attachment #: 2	22. Block 4 Entity Number: 200290
23a. Monthly Charges: \$1,364.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$1,364.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d): \$16,368.00	
23f. Annual non-recurring (one-time) charges: \$7,621.00	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g): \$7,621.00	
23i. Total program year pre-discount amount ( 23e + 23h): \$23,989.00	
23j. % discount (from Block 4): 50	
23k. Funding Commitment Request ( 23i x 23j): \$11,994.50	

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Block 6: Certifications and Signature

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24a. Schools: Y  
24b. Libraries or Library Consortia: N  
  
26a. Individual Technology Plan: N  
26b. Higher-Level Technology Plan(s): Y  
26c. No Technology Plan Needed:  
  
27a. Approved Technology Plan(s): Y  
27b. State Approved Technology Plan: N  
27c. No Technology Plan Needed:

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<b>20. Contract Expiration Date:</b>	
<b>21. Attachment #:</b> 2	<b>22. Block 4 Entity Number:</b> 200290
<b>23a. Monthly Charges:</b> \$1,364.00	<b>23b. Ineligible monthly amt.:</b> \$.00
<b>23c. Eligible monthly amt.:</b> \$1,364.00	<b>23d. Number of months of service:</b> 12
<b>23e. Annual pre-discount amount for eligible recurring charges ( 23c x 23d):</b> \$16,368.00	
<b>23f. Annual non-recurring (one-time) charges:</b> \$7,621.00	<b>23g. Ineligible non-recurring amt.:</b> \$.00
<b>23h. Annual pre-discount amount for eligible non-recurring charges ( 23f - 23g):</b> \$7,621.00	
<b>23i. Total program year pre-discount amount ( 23e + 23h):</b> \$23,989.00	
<b>23j. % discount (from Block 4):</b> 50	
<b>23k. Funding Commitment Request ( 23i x 23j):</b> \$11,994.50	

---

**Block 6: Certifications and Signature**

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24a. Schools: Y  
24b. Libraries or Library Consortia: N  
  
26a. Individual Technology Plan: N  
26b. Higher-Level Technology Plan(s): Y  
26c. No Technology Plan Needed:  
  
27a. Approved Technology Plan(s): Y  
27b. State Approved Technology Plan: N  
27c. No Technology Plan Needed:

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EXHIBIT B

Madeline Melgen, Ed D

Marieglorie Zapata

Academia Santa Monica

Road 177 Building 2021, Camino Alejandrino

Guaynabo, PR 00969-5140

Fax: 787-731-0000/787-272-0771

mzapata@escuelascaticas-sj.org

Application Number 424281

Madam,

You were recently sent a request for additional information needed by the Program Integrity Assurance (PIA) team to review your Form 471 Application to ensure that it is in compliance with the rules of the federal universal service program. Your response was incomplete. The information still needed to complete the review is listed below.

Based on the documentation provided, it appears that FRN 1172098 includes charges associated with on-premise equipment. Please provide a detailed list of the products you are requesting, such as the make and model of the product and documentation identifying the cost associated with the product/service and its component parts. Please clarify on both the initial and monthly on-premise equipment charges.

**Bundled Services**

**Initial**

**Monthly**

**On Premises Equipment**



Based on the documentation provided, it appears that FRN 117209 includes charges associated with: *On-Premise Equipment*. The FCC has indicated that equipment at the applicant site is presumed to be Internal Connections, but that this presumption can be overcome in certain circumstances. In order for us to evaluate your request, please provide the following information. You may consult with your service provider for assistance, if desired. Please be sure to sign your response and list your title.

- 1) Is the leased on-premise equipment an integral component of a Telecommunications or Internet Access service?
- 2) Will the leased on-premise equipment be provided by the same service provider that provides the associated Telecommunications Service or Internet Access service?
- 3) Does responsibility for maintaining the equipment rest with the service provider?
- 4) Will ownership of the equipment transfer to the school or library in the future?
- 5) Does the relevant contract or lease include an option for the applicant to purchase the equipment?
- 6) Will the leased equipment be used at the applicant site for any purpose other than receipt of the eligible Telecommunications Services or Internet Access of which it is a part?

Please note that the following two questions are limited to data communications functionality, and do not include technologies limited to traditional voice communication.

- 7) Will the school's or library's internal data communications network function without dependence on the equipment?
- 8) Are there any contractual, technical, or other limitations that would prevent the service provider from using the leased on-premise data communications equipment in part for other

customers?

- A. Based upon review of your Form 471 application, we were not able to validate your requested discount of 50% for ACADEMIA SANTA MONICA. We could only validate a discount of 20%. If you agree that this entity should be eligible for the amount of discount we could validate, please send us a written statement verifying that you accept the modification to the discount. If you choose to validate your original requested discount of 50%, then please provide the appropriate documentation to validate your requested discount percentage.

**If the discount percentage was determined by information obtained from a survey/application, please provide the following information:**

- 1) Total number of students enrolled
- 2) Total number of surveys/applications sent out
- 3) Number of surveys/applications returned
- 4) Total number of students qualified for NSLP per the returned surveys/applications
- 5) Are the surveys/applications and results kept on file.
- 6) Provide a sample copy of a FILLED OUT SURVEY/APPLICATION with the child's personal information crossed out for confidentiality.
- 7) A signed certification that reads: "I certify that only those students who meet the Income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 of Item 10b, of Block 4 (Worksheet A) of the Form 471."
- 8) This information must be in writing on school letterhead and signed by a school official (such as the Principal, Vice-Principal, Superintendent, Director of Food Services).

**If the discount was determined using a different method than what was identified above, please indicate the method that was used.**

- B. Based upon review of your Form 471 application, we were not able to validate your requested rural classification for ACADEMIA SANTA MONICA. The discount percentage for an entity is based on the entity's rural/urban classification and the percentage of students that meet the income

eligibility requirements of the National School Lunch Program (NSLP). If the rural classification cannot be verified, the entity will be classified as urban and the discount percentage requested will be modified. Please provide the entity's county name and physical address (Región y Distrito Escolar).

Basado en la revisión de su solicitud, no podíamos validar su descuento solicitado de **50%** para **ACADEMIA SANTA MONICA**. Podríamos validar solamente un descuento de **20%**. Si usted está de acuerdo que esta entidad debe ser elegible para la cantidad de descuento que nosotros podemos validar, por favor envíenos una declaración escrita que verifica que usted acepta la modificación al descuento. Si usted elige validar su descuento solicitado original de **50%**, entonces mande por favor la documentación apropiada para validar su porcentaje de descuento solicitado.

Identifique por favor el método usado para calcular el porcentaje de descuento solicitado de \_\_\_\_\_ para \_\_\_\_\_.

Si el porcentaje de descuento fue determinado por la información obtenida de un estudio socioeconómico, proporcione por favor la información siguiente:

- 1) Número total de los estudiantes matriculados
- 2) Número total de los exámenes socioeconómicos que fueron distribuidos a los estudiantes
- 3) Número total de los exámenes vueltos llenos por las familias de los estudiantes
- 4) El número de los estudiantes que satisfacen las pautas para elegibilidad, usando los ingresos de las familias (Income Eligibility Guidelines), del programa nacional de almuerzo según determinado por los estudios vueltos.
- 5) Indique por favor si los exámenes socioeconómicos y los resultados están guardados en archivo
- 6) Una copia del estudio socioeconómico completo (que no tenga el nombre del estudiante solamente)
- 7) Una certificación firmada que lee: ***Yo certifico que solamente han incluido los estudiantes que satisfacen las pautas para elegibilidad, usando los ingresos de las familias (Income Eligibility Guidelines), del programa nacional de almuerzo en***

**la columna 5 del artículo 10b, del bloque 4 (hoja de trabajo A) de la forma 471.**

- 8) Necesitamos esta información por escrito en papel con membrete de la escuela y firmado por un funcionario de la escuela (tal como el director, superintendente, o el director de los servicios de alimento).

**Si el descuento fue determinado usando un método diferente, indique por favor el método que fue utilizado.**

**Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.**

**It is important that we receive all of the information requested so we can complete our review. Failure to do so This may result in a reduction or denial of funding.**

**Please send the requested information within seven calendar days. If you need additional time to prepare your response, please let me know as soon as possible.**

**Thank you for cooperation and continued support of the Universal Service Program.**

Sincerely,

Kevin Hefferan

Kevin Hefferan

Schools And Libraries Division Program Integrity Assurance Phone: 973-581-6743 FAX:  
973-599-6579 Attn: Kevin Hefferan [khaffer@sl.universalservice.org](mailto:khaffer@sl.universalservice.org) alternate:  
[fiones@sl.universalservice.org](mailto:fiones@sl.universalservice.org)



80 South Jefferson Road  
Whippany, New Jersey 07981  
Fax: 973-599-6579

**Universal Service Administrative Company**  
Schools & Libraries

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**FAX TRANSMISSION COVER SHEET**

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To: Marielgorie Zapata  
Fax: 17872720771  
Subject: 424281\_E rate discount  
From: PIATeam8  
Date: December 03, 2004  
Time: 9:59:41 AM

YOU SHOULD RECEIVE 9 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT  
RECEIVE ALL THE PAGES, PLEASE CALL THE CONTACT SPECIFIED BELOW.

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**Universal Service Administrative Company**

Schools & Libraries Division

December 3, 2004

**Privilege and Confidentiality Notice**

The information in this telecopy is intended for the named recipients only. It may contain information that is privileged, confidential or otherwise protected from disclosure. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this telecopied material is strictly prohibited. If you have received the telecopy in error, please notify us by telephone immediately and mail the original to us at the above address. Thank you.



*Academia Santa Mónica*  
*(Padre Agustinos)*

Ave. Fernández Juncos 1058, Pda. 16 V.  
P.O. Box 18726, San Juan, Puerto Rico 00908-3726  
Tels: 725-2573 / 725-3845 / Fax: 725-3992

EXHIBIT C

December 8, 2004

Schools and Libraries Division  
Program Integrity Assurance

Academia Santa Mónica wants validate the following information:

- |  |     |
|--|-----|
| 1. Total number of student enrolled  | 634 |
| 2. Number of surveys/applications sent out   | 634 |
| 3. Number of surveys/applications returned   | 535 |
| 4. Total number of students qualified for NSLP<br>(As per the returned surveys/applications) | 430 |
| 5. Are the applications and result kept on file  | yes |

"I certify that only those students who meet the income Eligibility Guidelines of the National School Lunch Program have been included in Column 5 item 10b of block 4 (worksheet A) of the form 471"

Enclose is a copy of the survey applied

Cordially,

Rev. Isaac Jorge Rivera  
Principal

mza

# Academia Santa Mónica



EXHIBIT D

## Estudio Socioeconómico

Nombre del Estudiante: \_\_\_\_\_

Nombre del Padre o Encargado: Jaime E. Piñer

Ingreso Anual: \$ 20,000

Nombre de la Madre: MARISSA MURIEL

Ingreso Anual: \$ ---

Total ingreso Anual de la Familia: \$ 20,000

Total miembros de la familia: 4

**Confidencial**



**Universal Service Administrative Company**  
Schools & Libraries Division

**FUNDING COMMITMENT DECISION LETTER**

(Funding Year 2004: 07/01/2004 - 06/30/2005)

January 11, 2005

Madeline Melgen Ed D  
ACADEMIA SANTA MONICA  
Road 177 Building 2021  
Camino Alejandrino  
Guaynabo, PR 00969-5140

Re: Form 471 Application Number: 424130  
Funding Year 2004: 07/01/2004 - 06/30/2005  
Billed Entity Number: 200290  
Applicant's Form Identifier: IC200290

Thank you for your Funding Year 2004 E-rate application and for any assistance you provided throughout our review. Here is the current status of the funding request(s) featured in the Funding Commitment Report at the end of this letter.

- The amount, \$5,064.60 is "As Yet Unfunded."

Please refer to the Funding Commitment Report on the page following this letter for specific funding request decisions and explanations.

The Important Reminders and Deadlines immediately preceding this letter are provided to assist you throughout the application process.

**NEXT STEPS**

- Review technology planning approval requirements
- Review CIPA Requirements
- File Form 486
- Invoice the SLD using the Form 474 (service providers) or Form 472 (Billed Entity)

**FUNDING COMMITMENT REPORT**

On the pages following this letter, we have provided a Funding Commitment Report for the Form 471 application cited above. The enclosed report includes a list of the Funding Request Number(s) (FRNs) from your application. The SLD is also sending this information to your service provider(s) so preparations can be made to begin implementing your E-rate discount(s) after you file your Form 486. Immediately preceding the Funding Commitment Report, you will find a guide that provides a definition for each line of the Report.

**TO APPEAL THIS DECISION:**

If you wish to appeal the decision indicated in this letter, your appeal must be received by the SLD or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify which Funding Commitment Decision(s) you are appealing. Indicate the relevant funding year and the date



of the FCDL. Your letter of appeal must also include the Billed Entity Name, the Form 471 Application Number, and the Billed Entity Number from the top of your letter.

3. When explaining your appeal, copy the language or text from the Funding Commitment Report that is at the heart of your appeal, to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.
4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We encourage the use of either the e-mail or fax filing options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, sent to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options.

#### NOTICE ON RULES AND FUNDS AVAILABILITY

Applicants' receipt of funding commitments is contingent on their compliance with all statutory, regulatory, and procedural requirements of the Schools and Libraries Universal Service Support Mechanism. Applicants who have received funding commitments continue to be subject to audits and other reviews that USAC and/or the FCC may undertake periodically to assure that funds that have been committed are being used in accordance with all such requirements. The SLD may be required to reduce or cancel funding commitments that were not issued in accordance with such requirements, whether due to action or inaction, including but not limited to that by the SLD, the applicant, or the service provider. The SLD, and other appropriate authorities (including but not limited to USAC and the FCC), may pursue enforcement actions and other means of recourse to collect erroneously disbursed funds. The timing of payment of invoices may also be affected by the availability of funds based on the amount of funds collected from contributing telecommunications companies.

Schools and Libraries Division  
Universal Service Administrative Company

### A GUIDE TO THE FUNDING COMMITMENT REPORT

A report for each E-rate funding request from your application is attached to this letter. We are providing the following definitions for the items in that report.

**FORM 471 APPLICATION NUMBER:** The unique identifier assigned to a Form 471 application by the SLD.

**FUNDING REQUEST NUMBER (FRN):** A Funding Request Number is assigned by the SLD to each Block 5 of your Form 471 once an application has been processed. This number is used to report to applicants and service providers the status of individual funding requests submitted on a Form 471.

**FUNDING STATUS:** Each FRN will have one of the following definitions:

1. An FRN that is "Funded" is approved at the level that the SLD determined is appropriate for this FRN. The funding level will generally be the level requested unless the SLD determines during the application review process that some adjustment is appropriate.
2. An FRN that is "Not Funded" is one for which no funds were committed. The reason for the decision will be briefly explained in the "Funding Commitment Decision Explanation." An FRN may be "Not Funded" because the request does not comply with program rules, or because the total amount of funding available for this Funding Year was insufficient to fund all requests.
3. An FRN that is "As Yet Unfunded" reflects a temporary status that is assigned to an FRN when the SLD is uncertain at the time the letter is generated whether there will be sufficient funds to make commitments for requests for Internal Connections at a particular discount level. For example, if your application included requests for discounts on both Telecommunications Services and Internal Connections, you might receive a letter with funding commitments for your Telecommunications Services funding requests and a message that your Internal Connection requests are "As Yet Unfunded." You would receive one or more subsequent letters regarding the funding decision on your Internal Connections requests.

**SERVICES ORDERED:** The type of service ordered from the service provider, as shown on your Form 471.

**SPIN (Service Provider Identification Number):** A unique number assigned by the Universal Service Administrative Company to service providers seeking payment from the Universal Service Fund for participating in the universal service support mechanisms. A SPIN is also used to verify delivery of services and to arrange for payment.

**SERVICE PROVIDER NAME:** The legal name of the service provider.

**CONTRACT NUMBER:** The number of the contract between the eligible party and the service provider. This will be present only if a contract number was provided on your Form 471.

**BILLING ACCOUNT NUMBER:** The account number that your service provider has established with you for billing purposes. This will be present only if a Billing Account Number was provided on your Form 471.

**SERVICE START DATE:** The date services were reported to start for this FRN on your Form 471.

**CONTRACT EXPIRATION DATE:** The date the contract expires. This will be present only if a contract expiration date was provided on your Form 471.

**SITE IDENTIFIER:** The Entity Number listed in Form 471, Block 5, Item 22a. This will be present only for "site specific" FRNs.

**ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE RECURRING CHARGES:** Eligible monthly pre-discount amount approved for recurring charges multiplied by number of months of recurring service approved for the funding year.

**ANNUAL PRE-DISCOUNT AMOUNT FOR ELIGIBLE NON-RECURRING CHARGES:** Annual eligible non-recurring charges approved for the funding year.

**PRE-DISCOUNT AMOUNT:** Amount in Form 471, Block 5, Item 23I, as determined through the application review process.

**DISCOUNT PERCENTAGE APPROVED BY THE SLD:** The discount rate that the SLD has approved for this service.

**FUNDING COMMITMENT DECISION:** This represents the total amount of funding that the SLD has reserved to reimburse your service provider for the approved discounts for this service for this funding year. It is important that you and your service provider both recognize that the SLD should be invoiced and the SLD may direct disbursement of discounts only for eligible, approved services actually rendered.

**FUNDING COMMITMENT DECISION EXPLANATION:** This entry provides an explanation of the amount in the "Funding Commitment Decision."

## FUNDING COMMITMENT REPORT

Form 471 Application Number: 424130  
Funding Request Number: 1171629 Funding Status: As Yet Unfunded  
Services Ordered: Internal Connections  
SPIN: 143022659 Service Provider Name: A New Vision in Educational Serv  
Contract Number: ONE TIME  
Billing Account Number: 200290  
Service Start Date: 07/01/2004  
Contract Expiration Date: 08/30/2005  
Site Identifier: 200290  
Annual Pre-discount Amount for Eligible Recurring Charges:  
Annual Pre-discount Amount for Eligible Non-recurring Charges:  
Pre-discount Amount:  
Discount Percentage Approved by the SLD:  
Funding Commitment Decision:

**USAC**  
Schools and Libraries Division  
Box 125 - Correspondence Unit  
80 South Jefferson Road  
Whippany, New Jersey 07981

**TIME SENSITIVE MATERIAL**

01970  
Madeline Melgen Ed D  
ACADEMIA SANTA MONICA  
Road 177 Building 2021  
Camino Alejandro  
Guaynabo, PR 00969-5140

**IMPORTANT REMINDERS & DEADLINES**

Date: January 11, 2005  
471 : 424130  
BEN : 200290

The following information is provided to assist you throughout the application process. We recommend that you keep it in an easily accessible location and that you share it with the appropriate members of your organization.

**FORM 486 DEADLINE** - The Form 486 must be postmarked no later than 120 days after the Service Start Date you report on the Form 486 or no later than 120 days after the date of the Funding Commitment Decision Letter, whichever is later. If you are required to have a Technology Plan, that plan must be approved by the start of service for this funding year, you must indicate the SLD Certified Technology Approver who approved your plan and you must retain your approval letter and documentation of your monitoring of the progress toward your stated goals.

**CHILDREN'S INTERNET PROTECTION ACT (CIPA)** - You must be in compliance with CIPA and cannot request a waiver, if FY2004 is your Third Funding Year for the purposes of CIPA.

**INVOICE DEADLINE** - Invoices must be postmarked no later than 120 days after the last date to receive service - including extensions - or 120 days after the date of the Form 486 Notification Letter, whichever is later. Invoices should not be submitted until the invoiced products and services have been delivered and billed, and (for BEAR Forms) the provider has been paid.

**OBLIGATION TO PAY NON-DISCOUNT PORTION** - Applicants are required to pay the non-discount portion of the cost of the products and/or services. Service providers are required to bill applicants for the non-discount portion. The FCC has stated that requiring applicants to pay their share ensures efficiency and accountability in the program. If you are using a trade-in as part of your non-discount portion, please refer to the SLD web site.

**RETAIN DOCUMENTATION** - Applicants must retain documentation, including but not limited to, documents showing:

- compliance with all applicable competitive bidding requirements,
- products and/or services delivered (e.g., customer bills detailing make, model and serial number),
- resources necessary to make effective use of E-rate discounts, including the purchase of equipment such as workstations not eligible for support,
- the specific location of each item of E-rate funded equipment, and
- the applicant has paid the non-discount portion.

These documents must be retained and available for review for 5 years.

**SUSPENSION AND DEBARMENT** - Persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the Schools and Libraries Support Mechanism are subject to suspension and debarment from the program.

**FREE SERVICES ADVISORY** - Applicants and service providers are prohibited from using the Schools and Libraries Support Mechanism to subsidize the procurement of ineligible or unrequested products and services, or from participating in arrangements that have the effect of providing a discount level to applicants greater than that to which applicants are entitled.

Complete program information - including more information on these reminders - is posted to the Schools and Libraries Division (SLD) web site at [www.sl.universalservice.org](http://www.sl.universalservice.org). You may also contact the SLD Client Service Bureau by e-mail using the "Submit a Question" link on the SLD web site, by fax at 1-888-276-8736 or by phone at 1-888-203-8100.